

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 ORM-02 CIAE-00 DODE-00 PM-04

H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 AID-05 EB-08 TRSE-00 CU-02 IO-13 /088 W

-----231543 012652 /40

R 231400Z FEB 77

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 0219

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE SECTION 1 OF 2 BRASILIA 1425

E.O. 11652: N/A

TAGS: PINT, PGOV, BR

SUBJECT: PRESIDENT GEISEL USES AI-5 TO CASSATE ANOTHER PORTO
ALEGRE COUNCILMAN

REF: A. BRASILIA 1065 B. BRASILIA 1040

1. SUMMARY. ON FEBRUARY 15, PRESIDENT GEISEL UNSEATED AND SUSPENDED THE POLITICAL RIGHTS OF MARCOS KLASSMAN, AN MDB CITY COUNCILMAN IN PORTO ALEGRE WHO DEFIANTLY ECHOED AND EXPANDED UPON THE HUMAN RIGHTS SPEECH OF PREVIOUSLY CASSATED MDB COUNCILMAN GLENIO PERES. IN REACTING, BOTH POLITICAL PARTIES EVIDENCED A RESTRAINT BORN OF CONCERN THAT THE CYCLE OF RHETORIC AND CASSATIONS NOT GET OUT OF HAND AND PREJUDICE WHAT CHANCES REMAIN FOR DEMOCRATIC POLITICAL REFORMS. THE CASSATIONS HAVE DEEPEENED PESSIMISM ABOUT REFORM PROSPECTS AND HAVE SET THE STAGE FOR POSSIBLE FURTHER CLASHES ONCE CONGRESS RECONVENES MARCH 1. END SUMMARY.

2. TWO WEEKS AFTER HAVING CASSATED PORTO ALEGRE CITY COUNCILMAN GLENIO PERES (REFTEL A), PRESIDENT GEISEL ONCE AGAIN RESORTED TO AI-5 AND BY DECREE ISSUED FEB. 15, CASSATED
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THE ELECTORAL MANDATE AND SUSPENDED FOR TEN YEARS THE POLITICAL RIGHTS OF MARCOS KLASSMAN, A FRESHMAN ON THE PORTO ALEGRE CITY COUNCIL WHO HAD SUCCEEDED PERES AS LEADER OF THE MDB FACTION.

3. THE GOVERNMENT AGAIN PROVIDED NO EXPLANATION, BUT THE CASSATION HAD BEEN GENERALLY EXPECTED SINCE KLASSMAN, IN A

DEFIANT FEB. 9 MAIDEN ADDRESS TO THE CITY COUNCIL, ECHOED AND EXPANDED UPON THE SPEECH WHICH HAD INCURRED PERES' CASSATION. IN HIS REMARKS, KLASSMAN DEFENDED PERES AND CHARGED THAT THE LATTER'S CASSATION SERVED TO HIDE FROM PUBLIC OPINION THE "GRAVE ECONOMIC SOCIAL, AND POLITICAL CRISIS" AFFECTING THE COUNTRY, AND THE "FALSE LIBERALISM OF RULERS AND POLITICIANS WHO JOIN WITH THE REGIME OF FORCE BUT ARE UNMASKED WHENEVER ONE CALLS FOR LIBERTY AND DEMOCRACY." "IT SERVED TO UNMASK THE ISOLATION OF THE REGIME AT THE MOMENT WHEN, ALIENATED FROM THE INTELLECTUALS, FROM THE CHURCH AND FROM THE PEOPLE FOR THIRTEEN YEARS, IT FINDS NO OTHER ALTERNATIVE THAN THE CONTINUED DECREE OF REFORMS WHICH CERTAINLY HAVE NO DEMOCRATIC OR POPULAR IMPRINT." KLASSMAN WENT ON TO AFFIRM THAT HE COULD PROVIDE DOCUMENTS PROVING THE EXISTENCE OF TORTURE IN THE STATE AND THE COUNTRY, AND "STATEMENTS OF THE PRESIDENT OF THE UNITED STATES, GERALD FORD, WHICH ATTEST THE EXISTENCE OF TORTURE IN OUR COUNTRY AND IN LATIN AMERICA." THE POPULATION, HE SAID, IS "MOBILIZING ... SEEKING TO ORGANIZE ITSELF IN DEFENSE OF THE RIGHT TO VOTE, OF POPULAR MANDATE, BECAUSE ITS INTERESTS ARE BEING EVERY DAY DEGRADED BY THE REGIME, BY THE FORCE OF THE AUTHORITARIAN GOVERNMENT WHICH INSTALLED ITSELF IN THIS COUNTRY IN 1964." THOSE REMAINING ON THE COUNCIL, HE CONCLUDED, WOULD CONTINUE THE STRUGGLE AND WOULD DENOUNCE ALL VIOLATIONS OF HUMAN RIGHTS, WHETHER IN THE FORM OF MISERABLE SALARIES, ILLEGAL IMPRISONMENTS, TORTURE OF THOSE IN PARLIAMENTS OR OUT, OR "IN THE FORM OF GENERALIZED VIOLENCE INTO WHICH THE BRAZILIAN NATION IS SINKING."

4. LIKE PERES, KLASSMAN WAS A MEMBER OF MDB'S MORE RADICAL LIMITED OFFICIAL USE

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YOUTH WING, WITH A RECORD OF SHARP RHETORIC AND ACTIVE DEFENSE OF HUMAN RIGHTS. DURING HIS ELECTION CAMPAIGN LAST YEAR, HE HAD SEVERAL RUN-INS WITH LOCAL AUTHORITIES, WHO DEEMED HIS CAMPAIGN PROPAGANDA "SUBVERSIVE." BESIDES HEADING UP A LOCAL HUMAN RIGHTS GROUP, HE WAS PRESIDENT OF THE MDB YOUTH ORGANIZATION IN PORTO ALEGRE, AND LINKED TO STUDENT AND UNIVERSITY CIRCLES. AFTER HIS CASSATION, FIVE STUDENTS WERE ARRESTED WHILE DISTRIBUTING PAMPHLETS FROM THE YOUTH GROUP CALLING FOR A STUDENT PROTEST MEETING (FOUR WERE RELEASED SHORTLY THEREAFTER). THE SAME DAY, THE ORGANIZATION RELEASED A TORTURE DOCUMENT SUPPOSEDLY AMONG THOSE IN KLASSMAN'S POSSESSION - A LETTER FROM MARCOS CARDOSO FILHO, EX-PRESIDENT OF THE MDB YOUTH ORGANIZATION IN SANTA CATARINA, DESCRIBING IN DETAIL THE TORTURES TO WHICH HE AND MDB COLLEAGUES WERE SUBJECTED BY THE ARMY IN NOVEMBER 1975.

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5. RADIO AND TELEVISION STATIONS THROUGHOUT THE COUNTRY RECEIVED TELEPHONED ORDERS FROM CENSORS TO LIMIT NEWS OF THE CASSATION TO THE CONTENTS OF THE LACONIC OFFICIAL ANNOUNCEMENT.

6. INITIAL REACTION IN PARTY CIRCLES RESEMBLED THAT FOLLOWING THE PERES CASSATION. ARENA MODERATES AVOIDED COMMENT, CONSERVATIVES APPLAUDED THE ACTION, AND LEADERS AGAIN ASSURED THAT THE CASSATION WAS AN "ISOLATED INCIDENT" WHICH WOULD NOT IMPEDE DISTENSAO OR BIPARTISAN COOPERATION. TOP MDB LEADERS DEPLORED YET ANOTHER ACT OF "VIOLENCE" AND DISRESPECT FOR DUE PROCESS, WHILE SEVERAL LEGISLATORS, PARTICULARLY AMONG THE "AUTENTICOS", VOICED THE CONVICTION THAT THE CASSATIONS FORETOLD THE END OF DISTENSAO AND THE SPURIOUSNESS OF ANY POLITICAL "REFORMS" IN THE OFFING. SENATOR MARCOS FREIRE CALLED UPON THE PARTY TO GO BEYOND SYMBOLIC NOTES OF PROTEST AND TAKE A MORE CONCRETE POSITION REGARDING THE CHARGES WHICH LEAD TO THE PORTO ALEGRE CASSATIONS, AND PROPOSED THAT THE NATIONAL BOARD OF THE MDB INVESTIGATE AND DOCUMENT HUMAN RIGHTS VIOLATIONS IN RECENT YEARS.

7. KLASMAN'S DEFIANT REPETITION OF PERES' CHARGES, AND THE GAUCHO REPUTATION FOR STUBBORN COMATIVENESS, PROMPTED SPECULA-
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TION IN THE PRESS AND FROM SEVERAL LEGISLATORS AS TO THE EXISTENCE OF A "SUICIDE PACT" AMONG THE MDB CITY COUNCILMEN, WHICH WOULD FUEL SIMILAR INCIDENTS AND POSSIBLY PROVOKE THE

FORCED RECESS OF THE COUNCIL. KEY MDB LEADERS IN RIO GRANDE DO SUL WERE QUICK TO DISAVOW SUCH AN AGREEMENT, AND -- ACCORDING TO AMCONSUL PORTO ALEGRE -- THE DEPARTURE OF PERES AND KLASSMAN HAS LEFT THE MDB FACTION UNDER THE CONTROL OF MODERATES. INDEED, KLASSMAN'S SUCCESSION TO THE LEADERSHIP OF THE CITY COUNCIL REPORTEDLY HAD ENCOUNTERED STRONG OPPOSITION FROM SEVERAL COLLEAGUES ON GROUNDS OF HIS INEXPERIENCE AND IDEOLOGICAL INCOMPATIBILITY WITH THE MAINSTREAM.

8. ON FEBRUARY 17, THE NATIONAL DIRECTORATE OF THE MDB AND MDB REPRESENTATIVES FROM RIO GRANDE DO SUL MET IN BRASILIA AND ADOPTED A FIRM BUT MILDLY WORDED RESPONSE NOTE, PROTESTING THE CASSATIONS IN FAMILIAR TERMS, DRAWING ATTENTION TO THE GOVERNMENT-INSPIRED ECONOMIC AND POLITICAL CRISES CONFRONTING THE COUNTRY, PARTICULARLY THE UNCERTAINTY OVER POLITICAL REFORMS, AND STRESSING THAT THE MDB WOULD PURSUE ITS LEGITIMATE ROLE AS A LEGAL OPPOSITION DEDICATED TO THE RETURN OF FULL LIBERTY AND POPULAR RULE, THOUGH IT WOULD BE AN OPPOSITION "OPEN TO RESPONSIBLE DIALOGUE."

9. COMMENT. YET ANOTHER CASSATION HAS DEEPENED THE GENERAL UNCERTAINTY AND A GROWING PRESSIMISM IN THE PRESS AND POLITICAL CLASS OVER THE PLANALTO'S DIRECTION IN POLITICAL "REFORM" ONCE CONGRESS RECONVENES MARCH 1 (REF B). WORRIED SPECULATION AND PROMPT DENIALS OF A "SUICIDE PACT," AS WELL AS THE GENERALLY RESTRAINED COMMENTARY FROM BOTH PARTIES -- A CAUTION ADOPTED FOR THE MOMENT, EVEN BY SOME OF THE MDB AUTHENTICOS, REFLECTED THE COMMON CONCERN OVER A CYCLE OF RETAILIATION AND REACTION THAT COULD POISON THE ATMOSPHERE AND UPSET ANY REMAINING CHANCES FOR DEMOCRATIC REFORMS OR GOVERNMENT ADHERENCE TO DIRECT ELECTIONS IN 1978.

10. IRONICALLY, HOWEVER, THOSE REMAINING PROSPECTS MAY HINGE LIMITED OFFICIAL USE

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IN GOOD PART UPON THE DEGREE OF "RESPONSIBILITY" DEMONSTRATED BY THE MDB IN ADDRESSING THE GOVERNMENT'S JUDICIAL REFORM BILL, WHICH WILL BE AMONG THE FIRST ITEMS OF BUSINESS BEFORE THE CONGRESS AND REQUIRES MDB CONCURRENCE IF IT IS TO BE PASSED BY LEGISLATIVE ENACTMENT RATHER THAN PRESIDENTIAL FIAT. THE RECENT AND REPEATED USE OF AN EXTRA-JUDICIAL SANCTION, I.E., AI-5, WILL MAKE IT MORE DIFFICULT FOR THE MDB TO COMPROMISE ITS OFT STATED POSITION THAT THE REFORM MUST INCLUDE THE RESTORATION OF THE GUARANTEES OF THE JUDICIARY REMOVED BY AI-5, IF NOT THE OUTRIGHT REPEAL OF AI-5 ITSELF. MOREOVER, THE FRESH WOUND OPENED IN THE OPPOSITION, PARTICULARLY THE RIO GRANDE DO SUL BLOC, AND THE ATTENTION ONCE AGAIN FOCUSED ON THE SENSITIVE TOPIC OF HUMAN RIGHTS, LEAVE OPEN THE POSSIBILITY OF MORE FIERY RHETORIC (AND NEW CASSATIONS) WHEN CONGRESS OPENS. INDEED, REPORTS THAT MDB GAUCHO SENATOR PAULO

BROSSARD WILL VIOLENTLY ATTACK THE CASSATIONS FROM THE SENATE
FLOOR EARLY IN THE SESSION HAVE LED TO RUMOR THAT
THE OPENING OF CONGRESS MIGHT BE DELAYED BY THE EXECUTIVE.
END COMMENT.
CRIMMINS

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Message Attributes

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